

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT OFFICE

DECISION RECORD
CATEGORICAL EXCLUSION REVIEW

Background: The Bureau and Roseburg Resources Co. (RRC) both wish to update existing reciprocal right-of-way agreement E-308 to add additional RRC and BLM lands and update bonding and insurance amounts.

Proposed Action: The proposed action is amending Right-of-Way and Road Use Agreement E-308 as described in the attached draft amendment document. This action would accomplish the following:

1. Add approximately 1,280 acres of Permittee land located within the E-308 agreement area boundary to Schedule 2, Applicant's Lands. The addition would allow the Bureau to use existing roads and/or construct new roads across these Permittee lands to access public lands. Any future BLM road use or new construction would be assessed by separate NEPA analyses prior to making a decision to approve such future road use or construction.
2. Add 840 acres of United States land located within the E-308 agreement area boundary to Schedule 1, United States Lands. Under the provisions of Paragraph 12 of Exhibit B of the agreement, this addition has already been committed to and the addition is not a discretionary action (see Information Bulletin No. OR 94-088). The addition would allow RRC to use existing roads and/or construct new roads across these United States lands to access its lands.
3. Update the bonding and insurance coverage limit requirements of the permit and agreement to reflect the current agreement between the parties.
4. Add language to provide that each party will not have to pay road use fees when crossing the other party's roads under certain circumstances. The provision added is standard in most reciprocal agreements entered into the past 30-40 years. The language only changes the requirement for paying road use fees and does not convey any new rights to use BLM roads.
5. This Amendment will supersede and Terminate O&C Logging Road Permit E-51F.
6. Replace the existing Exhibit C map attached to E-308 with a new AutoCad map that is updated to reflect the changes made by this and prior amendments.

Decision: It is my decision to approve the amendment of Road Use and Right-of-Way Agreement E-308 as described in the attached draft document. The amendment is made under the authority of Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1767).

Rationale: The proposed action meets the criteria for the categorical exclusion in 516 DM 6, Appendix 5.4E(16), which includes the use of existing roads for road purposes, and none of the exceptions in 516 DM 2, Appendix 2, apply. Further, the action is in conformance with the "Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl" (April 1994), the "Eugene District Record of Decision and Resource Management Plan" (May 1995).

Prepared By: /s/ Cheryl Adcock
Realty Specialist

Date: 4/13/2004

Approved By: /s/ Steven Calish
Siuslaw Field Manager

Date: 4/22/2004

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT

CATEGORICAL EXCLUSION REVIEW
Exception Criteria Review Checklist

Proposed Action: To amend O&C Logging Road Right-of-Way Permit E-308 as described on the preceding pages.

Review the proposed action against each of the ten criteria listed below. If the project meets one or more of the criteria, it is an exception from categorical exclusion and MUST be analyzed in an EA or EIS. To qualify as a Categorical Exclusion the proposed action may not meet any of the criteria. If the criterion does not apply, indicate "Not Applicable." Any mitigation measures (such as contract stipulations or terms and conditions on permits) necessary to ensure that the proposed action qualifies as a categorical exclusion should be identified at the bottom of the page.

	Exception Criteria	Comments
1.	Have significant adverse effects on public health or safety	
2.	Have adverse effects on unique resources (i.e., parks, recreation, refuge lands, wilderness areas, wild or scenic rivers, wetlands, floodplains, etc.)	
3.	Have highly controversial environmental effects	
4.	Have highly uncertain environmental effects or involve unique or unknown environmental risks	
5.	Establish a precedent that could result in significant impacts	
6.	Be directly related to other actions having cumulatively significant effects	
7.	Have adverse effects on cultural or historical resources	
8.	Have adverse effects on species listed or proposed as threatened or endangered or have adverse effect on designated critical habitat for these species.	
9.	Require compliance with E.O. 11988 (floodplain management), E.O. 11990 (protection of wetlands), or the Fish & Wildlife Coordination Act	
10.	Threaten to violate Federal, State, Local or Tribal law or requirements imposed for the protection of the environment	
Mitigation measures needed to qualify as CE: None		

Reviewed By: /s/ Rick Colvin

Date: 4/22/2004

Above measures have been adopted and will be implemented.

Field Manager: /s/ Steven Calish

Date: 4/22/2004